

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

ATLAS DATA PRIVACY CORPORATION,
*as an assignee of individuals who are
Covered Persons*, JANE DOE-1, *a law
enforcement officer*, JANE DOE-2, *a law
enforcement officer*, PATRICK COLLIGAN,

Plaintiffs,

v.

LIGHTHOUSE LIST COMPANY, LLC,
RICHARD ROES 1-10, *fictitious names of
unknown individuals* and ABC COMPANIES
1-10, *fictitious names of unknown entities*,

Defendants.

CIVIL ACTION

CASE NO. 1:24-cv-11443

**MOTION TO DISMISS PLAINTIFFS’
COMPLAINT PURSUANT TO FED. R.
CIV. P. 12(b)(6)**

Motion Day: February 3, 2025

MOTION TO DISMISS PLAINTIFFS’ COMPLAINT

PLEASE TAKE NOTICE that, on February 3, 2025, or as soon thereafter as counsel may be heard, the undersigned attorneys for Defendant Lighthouse List Company, LLC (“Lighthouse List”), shall move before The Honorable Harvey Bartle III, United States District Judge, at the United States District Court for the District of New Jersey, Mitchell H. Cohen Building & U.S. Courthouse, 4th and Cooper Streets, Camden, New Jersey 08101, to dismiss, with prejudice, Plaintiffs’ Complaint pursuant to Federal Rule of Civil Procedure 12(b)(6) (the “Motion to Dismiss”) on the ground that Daniel’s Law, N.J. Stat. Ann. §§ 47:1A-1, *et seq.*, and 56:8-166.1, is facially unconstitutional.

PLEASE TAKE FURTHER NOTICE that, per the parties’ January 3, 2025 telephonic conference with the Court (*see* Dkt. No. 5) and this Court’s follow-on Order of January 3, 2025 (*see* Dkt. No. 6, ¶ 3), by bringing the Motion to Dismiss, Lighthouse List does not waive any other defenses, including based on lack of personal jurisdiction.

PLEASE TAKE FURTHER NOTICE that, in support of the Motion to Dismiss and consistent with the Court's January 3, 2025 Order (*see id.* at ¶ 2), Lighthouse List relies on, and adopts as if filed in the instant proceeding, the briefing that various other defendants in other Daniel's Law cases before this Court filed in support of a materially identical motion to dismiss. In particular, Lighthouse List relies on and adopts the briefing and related exhibits available at Docket Numbers 27, 54, and 68 in the action captioned *Atlas Data Privacy Corp. v. Lightbox Parent, L.P.*, No. 1:24-cv-04105-HB (D.N.J.). Lighthouse List stands ready to re-file the briefing at the Docket Numbers referenced above if the Court so directs..

Respectfully submitted,

s/ Ronald L. Davison

Ronald L. Davison

Ronald L. Davison, Esq.
Starr, Gern, Davison & Rubin, P.C.
105 Eisenhower Parkway, Suite 401
Roseland, NJ 07068-1640
Tel: 973-403-9200 Ext. 226
Fax: 973-226-0031
Email: rdavison@starrgern.com

Jacob Sommer (*pro hac vice* forthcoming)
ZwillGen PLLC
1900 M Street NW, Suite 250
Washington, DC 20036
Tel: 202-706-5205
Jake@zwillgen.com

Dated: January 8, 2025

CERTIFICATE OF SERVICE

I hereby certify that on January 8, 2025, the foregoing was filed electronically. Notice of this filing will be sent to the below listed attorneys of record by operation of the Court's electronic filing system, and via e-mail. The parties may access this filing through the Court's electronic filing system.

PEM LAW LLP

Rajiv D. Parikh (032462005)
Kathleen Barnett Einhorn (040161992)
Jessica A. Merejo (288592020)
1 Boland Drive, Suite 101
West Orange, NJ 07052
Tel.: (973) 577-5500
rparikh@pemplawfirm.com
keinhorn@pemplawfirm.com
jmerejo@pemplawfirm.com

MORGAN & MORGAN

John A. Yanchunis
Ryan J. McGee
201 N. Franklin Street, 7th Floor
Tampa, FL 33602
Tel.: (813) 223-5505
jyanchunis@forthepeople.com
rmcgee@forthepeople.com

/s/ Ronald L. Davison
Ronald L. Davison